

REMARKS

Claims 1-22 are pending in the present application. Applicants thank the Examiner for recognizing allowable subject matter in claim 9.

Claim 10 has been rewritten in independent form and claim 22 has been added. The amendments are not directed to new subject matter.

The Office Action rejected claims 1-8 and 10-21 under 35 U.S.C. § 102(b) as anticipated by the prior art. Applicants respectfully traverse the rejections and, in light of the following arguments, request that the rejections be withdrawn.

Rejection under 35 U.S.C. § 102(b) over U.S. Patent 2,633,270 to Young ("Young")

The Office Action states that Young anticipates claims 1-8 and 18-21. Applicants traverse this rejection. Claim 1 of the present application requires "a tube comprising . . . a seal having a contour, **the contour having a bearing surface . . .**" (emphasis added). Young does not have a bearing surface on the contour as required by claim 1. (See Young, Figures 10 and 11.) The contour of Young as defined by the Office Action is seal 31. However, the part of the tube that receives the wrapping force from the wrapping tool is the side wall 35 of the tube itself, and not seal 31. Thus, the contour as defined by the Office Action (seal 31) does not include a bearing surface as required by claims 1-8 and 18-21 of the present application. As Young does not disclose this required element of claims 1-8 and 18-21, Young does not disclose each and every feature of claims 1-8 and 18-21 and, therefore, rejection under 35 U.S.C. § 102(b) is inappropriate. As a result, it is respectfully requested that the rejection be withdrawn.

Rejection under 35 U.S.C. § 102(b) over U.S. Patent 1,884,543 to Bolz

The Office Action also states that claims 1 and 10-17 are anticipated by Bolz.


Applicants respectfully traverse this rejection. As discussed above, claim 1 is directed to a tube comprising a seal, the seal having contour, and the contour having a bearing surface. Bolz does not have a bearing surface on the contour as required by present claims 1 and 10-17. The Office Action identifies the seal 13 of Bolz as the contour and hole 16 as the bearing surface. (See Bolz, Figure 1.) The hole 16 of Bolz cannot be the claimed bearing surface because hole 16 is not in seal 13, and claim 1 includes the feature of "the contour having a bearing surface." As Bolz does not disclose this required element of claims 1 and 10-17, Bolz does not disclose each and every feature of claims 1 and 10-17, and therefore, rejection under 35 U.S.C. § 102(b) is inappropriate. As a result, it is respectfully requested that the rejection be withdrawn..

Summary

In light of the arguments presented, it is believed that all claims are in condition for allowance. Withdrawal of the rejections is respectfully requested.

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Respectfully submitted,



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